

Use of the word "PERSON"	Use of both the word "CITIZEN" and the word "PERSON"
<p>No existing definition.</p>	<p>Section 2. Definitions. As used in this chapter, the following definitions apply:</p> <p>(1) "Citizen" has the same meaning as provided in 1-1-402;</p>
<p>Section 3. Access to public information -- privacy and security exceptions.</p> <p>(1) Every person has a right to examine and obtain a copy of any public information of this state, except for information that is constitutionally protected from disclosure because an individual privacy interest clearly exceeds the merits of public disclosure or as otherwise expressly prohibited by statute.</p> <p>(2) A public officer may withhold from public scrutiny information relating to individual privacy or individual or public safety or security of public facilities, including public schools, jails, correctional facilities, private correctional facilities, and prisons, if release of the information may jeopardize the safety of facility personnel, the public, students in a public school, or inmates of a facility. Security features that may be protected under this section include but are not limited to architectural floor plans, blueprints, designs, drawings, building materials, alarms system plans, surveillance techniques, and facility staffing plans, including staff numbers and locations. A public officer may not withhold from public scrutiny any more information than is required to protect an individual privacy interest or safety or security interest.</p> <p>(3) The provisions of this section do not apply to collections of the Montana historical society when restrictions on access have been imposed by collection creators or donors.</p>	<p>Section 3. Access to public information -- privacy and security exceptions.</p> <p>(1) Every person has a right to examine any public information of this state, except for information that is constitutionally protected from disclosure because an individual privacy interest clearly exceeds the merits of public disclosure or as otherwise expressly prohibited by statute. Every citizen has a right to obtain of copy of public information that is not otherwise protected from disclosure.</p> <p>(2) A public officer may withhold from public scrutiny information relating to individual privacy or individual or public safety or security of public facilities, including public schools, jails, correctional facilities, private correctional facilities, and prisons, if release of the information may jeopardize the safety of facility personnel, the public, students in a public school, or inmates of a facility. Security features that may be protected under this section include but are not limited to architectural floor plans, blueprints, designs, drawings, building materials, alarms system plans, surveillance techniques, and facility staffing plans, including staff numbers and locations. A public officer may not withhold from public scrutiny any more information than is required to protect an individual privacy interest or safety or security interest.</p> <p>(3) The provisions of this section do not apply to collections of the Montana historical society when restrictions on access have been imposed by collection creators or donors.</p>
<p>Section 4. Public information requests -- fees.</p> <p>(1) A person may request public information from a public agency. A public agency shall make the means of requesting public information accessible to all persons.</p> <p>(2) Upon receiving a request for public information, a public agency shall respond in a timely manner to the requesting person with an estimate of the time it will take to fulfill the request and any fees that may be charged pursuant to subsection (3).</p> <p>(3) A public agency may charge a fee for fulfilling a public information request. The fee may not exceed the actual costs directly incident to fulfilling the request in the most cost-efficient and timely manner possible. The fee must be documented. The fee may include the time required to gather public information. However, an agency may not charge a fee for a public information request that can be fulfilled in less than one-half hour.</p>	<p>Section 4. Public information requests -- fees.</p> <p>(1) A person may request access to public information from a public agency. A citizen may request a copy of public information from a public agency. A public agency shall make the means of requesting public information readily available.</p> <p>(2) Upon receiving a request for public information, a public agency shall respond in a timely manner to the requesting citizen with an estimate of the time it will take to fulfill the request and any fees that may be charged pursuant to subsection (3).</p> <p>(3) A public agency may charge a fee for fulfilling a public information request. The fee may not exceed the actual costs directly incident to fulfilling the request in the most cost-efficient and timely manner possible. The fee must be documented. The fee may include the time required to gather public information.</p>

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<p>Section 5. Special fees allowable for certain information. (1) In addition to the fees allowed under [section 4], the department of revenue may charge an additional fee as reimbursement for the cost of developing and maintaining the property valuation and assessment system database from which the information is requested. The fee must be charged to persons, federal agencies, state agencies, and other entities requesting the database or any part of the database from any department property valuation and assessment system. The fee may not be charged to the governor's office of budget and program planning, the state tax appeal board, or any legislative body or its members or staff.</p> <p>(2) The department of revenue may not charge a fee for information provided from any department property valuation and assessment system database to a local taxing jurisdiction for use in taxation and other governmental functions or to an individual taxpayer concerning the taxpayer's property.</p> <p>(3) All fees received by the department of revenue under [section 4] and this section must be deposited in the property value improvement fund as provided in 15-1-521.</p> <p>(4) In addition to the fees allowed under [section 4], the Montana historical society may charge additional fees for copies of materials contained in its collections to support the educational, curatorial, and interpretive efforts for which the Montana historical society was established pursuant to 22-3-101.</p>	<p>Section 5. Special fees allowable for certain information. (1) In addition to the fees allowed under [section 4], the department of revenue may charge an additional fee as reimbursement for the cost of developing and maintaining the property valuation and assessment system database from which the information is requested. The fee must be charged to persons, federal agencies, state agencies, and other entities requesting the database or any part of the database from any department property valuation and assessment system. The fee may not be charged to the governor's office of budget and program planning, the state tax appeal board, or any legislative body or its members or staff.</p> <p>(2) The department of revenue may not charge a fee for information provided from any department property valuation and assessment system database to a local taxing jurisdiction for use in taxation and other governmental functions or to an individual taxpayer concerning the taxpayer's property.</p> <p>(3) All fees received by the department of revenue under [section 4] and this section must be deposited in the property value improvement fund as provided in 15-1-521.</p> <p>(4) In addition to the fees allowed under [section 4], the Montana historical society may charge additional fees for copies of materials contained in its collections to support the educational, curatorial, and interpretive efforts for which the Montana historical society was established pursuant to 22-3-101.</p>
<p>Section 8. Certified copies of records-- historic records and constitutional officer records.</p> <p>(1) A person may request a certified copy of a public record from a public agency subject to the provisions of [section 3]. The public agency may charge a fee for the certified copy of a public record in accordance with [section 4].</p> <p>(2) A person may request a certified copy of a historic record or a constitutional officer record from the Montana historical society subject to the provisions of [section 3]. The Montana historical society may charge a fee for the certified copy of a historic record or constitutional officer record in accordance with [sections 4 and 5(4)].</p> <p>(3) The certified copy created by the Montana historical society of a historic record or a constitutional officer record has the same force in law as if made by the original public agency that created the record.</p>	<p>Section 8. Certified copies of records-- historic records and constitutional officer records.</p> <p>(1) A citizen may request a certified copy of a public record from a public agency subject to the provisions of [section 3]. The public agency may charge a fee for the certified copy of a public record in accordance with [section 4].</p> <p>(2) A citizen may request a certified copy of a historic record or a constitutional officer record from the Montana historical society subject to the provisions of [section 3]. The Montana historical society may charge a fee for the certified copy of a historic record or constitutional officer record in accordance with [sections 4 and 5(4)].</p> <p>(3) The certified copy created by the Montana historical society of a historic record or a constitutional officer record has the same force in law as if made by the original public agency that created the record.</p>